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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/765,543	01/19/2001	Hoe-Seong Ha	4591-160	1427

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EXAMINER

ESTRADA, MICHELLE

ART UNIT PAPER NUMBER

2823

DATE MAILED: 05/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/765,543

Applicant(s)

HA ET AL.

Examiner

Michelle Estrada

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Akatsu et al. (6,319,794) and Arafa et al. (6,294,823), and further in view of Noda (6,373,119).

Akatsu et al. discloses a semiconductor substrate (10) having a top surface; a device isolation region (79) formed in a predetermined region of the semiconductor substrate, the device isolation region having a protrusion (80) that is higher in level than the top surface of the semiconductor substrate; further comprising a thermal oxide layer (11) interposed between the semiconductor substrate and the trench isolation region (Col. 8, lines 58-59; further comprising a silicon nitride liner (40) interposed between the trench isolation region and the thermal oxide layer (11) (Col.10, lines 24-26).

Akatsu et al. does not disclose an etch stop spacer formed overlying a sidewall of the protrusion; and an etch stop layer formed over the resultant structure; an interlayer insulating layer formed over the resultant structure; and a contact hole opening the interlayer insulating layer, the contact hole exposing at least a portion of the impurity diffusion region; filling the contact hole and an interconnection line overlying the contact plug.

Arafa et al. discloses a isolation region (209) in a predetermined region of the substrate; a silicon nitride etch stop spacer (211) and a silicon nitride etch stop layer (220) formed in the resulting structure; an interlayer insulating layer; a contact hole opening the interlayer insulating layer and the etch stop layer; wherein the etch stop layer is partially etched; wherein the isolation region comprises a trench isolation region (Col. 3, line 13); a contact plug (117); wherein the contact hole exposes a portion of the etch stop spacer adjacent to the impurity diffusion region; the contact hole exposing at least a portion of the impurity diffusion region (Fig. 1); further comprising an interconnection line filling the contact hole (110); a contact plug (117) filling the contact hole.

It would have been within the scope of one of ordinary skill in the art to combine the teachings of Akatsu et al. and Arafa et al. to enable formation of the contact and further the etch stop layer provides additional protection to the gate structure.

The combination of Akatsu et al. and Arafa et al. does not disclose an interconnection line overlying the contact plug.

Noda discloses an interconnection line (12) overlying a contact plug (11) (Col. 10, lines 30-34).

It would have been within the scope of one of ordinary skill in the art to combine the teachings of Akatsu et al., Arafa et al. and Noda to enable formation of the contact and further the interconnection line connects the contact plug.

Response to Arguments

Applicant appears to argue that Arafa et al. do not disclose that the etch stop spacer is formed overlying a sidewall of the protrusion. However, Arafa et al. disclose an etch stop spacer (211) formed overlying a sidewall of structure 222. Akatsu et al. is disclosed to teach the protrusion structure.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michelle Estrada whose telephone number is (703) 308-0729. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Olik Chaudhuri can be reached on 703-306-2794. The fax phone numbers

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for the organization where this application or proceeding is assigned are 703-308-7722 for regular communications and 703-308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.


George Fourson
Primary Examiner
Art Unit 2823


MEstrada
April 21, 2003